

**UNITED STATES
DISTRICT COURT
EASTERN DISTRICT
OF MISSOURI
EASTERN DIVISION**

| | | |
|-------------------------------------|---|------------------------|
| MISSOURI PRIMATE FOUNDATION, |) | |
| et al., |) | |
| |) | |
| Plaintiffs and |) | |
| Counterclaim Defendants, |) | |
| |) | |
| v. |) | Case No. 4:16-cv-02163 |
| |) | |
| PEOPLE FOR THE ETHICAL |) | |
| TREATMENT OF ANIMALS, INC., et al., |) | |
| |) | |
| Defendants and |) | |
| Counterclaim Plaintiffs. |) | |
| |) | |

Request for discovery clarification

Counterclaim defendant (Tonia Haddix) requests clarification on scope of discovery being performed by counterclaim plaintiffs. As well clarification of time frame for discovery clarification is needed.

Sent counterclaim plaintiffs (PETA) some interrogatories on 7/24/2020 with a return email dated 7/28/2020 objecting answering them stating that the date for discovery was past (6/30/2020). Counterclaim defendant believes per case management ruling that the date for discovery has been extended. So would like to request clarification from the. Kurt as to the proper timeframe for discovery.

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Exhibit A

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MISSOURI PRIMATE FOUNDATION,) et al.,)) Plaintiffs and)
Counterclaim Defendants,)) v.)) PEOPLE FOR THE ETHICAL)
TREATMENT OF ANIMALS, INC., et al.,)) Defendants and)
Counterclaim Plaintiffs.)

Case No. 4:16-cv-02163

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF
MISSOURI EASTERN DIVISION

FIFTH AMENDED CASE MANAGEMENT ORDER TRACK 3: COMPLEX
IT IS HEREBY ORDERED that the following schedule shall apply and
govern the remainder of this case.

I.

1.

SCHEDULING PLAN

The remainder of discovery shall proceed in the following manner:

(a) Any requests for inspections of premises pursuant to Rule 24(a)(2), Fed. R. Civ. P., shall be made no later than October 16, 2020. All inspections must be completed by no later than November 13, 2020.

(b) Counterclaim defendant Tonia Haddix shall disclose all expert witnesses and shall provide the reports or other information required by Rule 26(a)(2), Fed. R. Civ. P., no later than November 20, 2020.

(c) Any expert witnesses designated by Haddix and any experts designated by PETA shall be made available for depositions, and have depositions completed, by no later than December 18, 2020.

(d) All parties must disclose any rebuttal expert witnesses and must provide the reports or other information required by Rule 26(a)(2)(B) and (C), Fed. R. Civ. P., no later than January 8, 2021. All rebuttal expert witnesses must be made available for depositions, and have depositions completed, no later than January 22, 2021.

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(e) The parties shall complete all discovery in this case no later than January 22, 2021.

(f) Any motions to dismiss, motions for summary judgment, motions for judgment on the pleadings, or any motions to limit or exclude expert testimony must be filed no later than February 5, 2021.

Opposition briefs shall be filed no later than twenty-one (21) days after the motion or February 26, 2021, whichever is earlier. Any reply brief may be filed no later than seven (7) days following the response brief or March 5, 2020, whichever is earlier.

II. ORDER RELATING TO TRIAL

This action is removed from the January 19, 2021 trial docket and is reset for a NON-

JURY trial on Tuesday, April 27, 2021 at 9:00 a.m. This is a two week docket.

The remainder of the Order Relating to Trial set out in the original Case Management Order (ECF 53) remains in full force and effect, with pretrial materials now due by the deadlines in advance of the new trial setting.

Failure to comply with any part of this Order may result in the imposition of sanctions.

Dated this 20th day of July, 2020.

CATHERINE D. PERRY

UNITED STATES DISTRICT JUDGE

Exhibit B

First set of interrogatories for counterclaim defendant's PETA

1) On the page that PETA placed on the internet of MS Casey and Missouri Primate Foundation there is a donate button for this campaign. How much money was collected off this page to 'save these chimpanzees'?

Response:

2) How did PETA become affiliated with Angela Scott?

Response

3) Was money or any other type of payments or compensation given to Angela Scott for being the civilian in the lawsuit with counterclaim defendant's?

Response

4) Has PETA or any entity provided any monies or compensation to Center for Great Apes?

5) Is PETA or its entities know as a terrorist organization by the United States Government?

6) How many Endangered Species Act has PETA filed in the United States Federal Court system? How many have gone to trial? Or how many has had a summary judgment? Or how many have been settled with the other part

7) How many of the animals removed from these cases have been placed in globally federated sanctuaries? And how many have died or has been seriously injured?

8) How did PETA know about MPF?